

Environmental Assessment

Mayfield Roadside Menagerie



May 2018



MONTANA FISH, WILDLIFE & PARKS

Environmental Assessment MEPA, NEPA, MCA 23-1-110 CHECKLIST

PART I. PROPOSED ACTION DESCRIPTION

1. **Type of proposed state action:** Initial permit for a roadside menagerie for 2 black bears north of the town of Emigrant in Paradise Valley.
2. **Agency authority for the proposed action:**
FWP has the authority to regulate zoos and menageries under sections 87-4-801 through 87-4-808, MCA and ARM 12.6.1301 through 12.6.1309
3. **Anticipated Schedule:**
The proposed menagerie would commence operations upon issuance of a permit and would continue indefinitely until or unless said permit is revoked.
4. **Location affected by proposed action:** The proposed Roadside Menagerie is located at 37 Meridian Road in Park County, Township 5 South, Range 8 East, Section 12.
5. **Project size -- estimate the number of acres that would be directly affected that are currently:**

<u>Acres</u>		<u>Acres</u>	
(a) Developed:		(d) Floodplain	<u>0</u>
Residential	<u>3</u>		
Industrial	<u>0</u>	(e) Productive:	
(existing shop area)		Irrigated cropland	<u>0</u>
(b) Open Space/	<u>0</u>	Dry cropland	<u>0</u>
Woodlands/Recreation		Forestry	<u>0</u>
(c) Wetlands/Riparian	<u>0</u>	Rangeland	<u>0</u>
Areas		Other	<u>0</u>

6. Permits, Funding & Overlapping Jurisdiction.

USDA-APHIS Animal Welfare

Class C Exhibitor's License 74-C-0862

7. Narrative summary of the proposed action:

The proposal is for the operation of a Roadside Menagerie containing two black bears. The facility has been built and is ready to receive the bears. There is an interior and exterior portion of the menagerie. The interior is constructed of poured concrete for the floor, partitioned cages constructed of welded wire and pipe, insulated walls, and water, electrical and gas services.

The exterior fencing is constructed of chain link fencing with 4 strands of charged electrical wire along the top. A secondary fence within the primary fencing is made of four strands of charged electrical wire attached to t-posts. Both fences are attached to the interior of the menagerie and anchored to the ground using conventional means.

The interior also is heated and has ample room for food preparation and veterinary care if needed. The proposed menagerie is in near proximity to the owner's residence and doors and gates are to remain locked at all times.

8. Description and analysis of reasonable alternatives:

Alternative A: No Action: Permit will not be issued and there will be no Roadside Menagerie

Alternative B: Proposed Action: Permit will be issued and Roadside Menagerie with 2 black bears will be established.

PART II. ENVIRONMENTAL REVIEW CHECKLIST

Evaluation of the impacts of the Proposed Action including secondary and cumulative impacts on the Physical and Human Environment.

A. PHYSICAL ENVIRONMENT

1. <u>LAND RESOURCES</u> Will the proposed action result in:	IMPACT					
	Unknown	None	Minor	Potentially Significant	Can Impact Be Mitigated	Comment Index
a. Soil instability or changes in geologic substructure?			X			1
b. Disruption, displacement, erosion, compaction, moisture loss, or over-covering of soil, which would reduce productivity or fertility?			X			1
c. Destruction, covering or modification of any unique geologic or physical features?		X				
d. Changes in siltation, deposition or erosion patterns that may modify the channel of a river or stream or the bed or shore of a lake?		X				
e. Exposure of people or property to earthquakes, landslides, ground failure, or other natural hazard?		X				

1. The proposed action involves minor construction that would result in soil compaction beneath the building
2. The proposed construction of a 3 acre outdoor pen will result in conversion of grasslands and reduction of fertility of those lands

2. <u>AIR</u> Will the proposed action result in:	IMPACT *					
	Unknown	None	Minor	Potentially Significant	Can Impact Be Mitigated	Comment Index
a. Emission of air pollutants or deterioration of ambient air quality? (Also see 13 (c).)		X				
b. Creation of objectionable odors?			X			3
c. Alteration of air movement, moisture, or temperature patterns or any change in climate, either locally or regionally?		X				
d. Adverse effects on vegetation, including crops, due to increased emissions of pollutants?		X				
e. For P-R/D-J projects, will the project result in any discharge, which will conflict with federal or state air quality regulations? (Also see 2a.)		n/a				

3. There is potential for the creation of objectionable odors due to the buildup of excrement and uneaten food. This potential will be mitigated due to the agreement by the applicant to clean up excrement and uneaten food and removal to a lawful disposal area. See attached Memorandum of Agreement.

3. <u>WATER</u> Will the proposed action result in:	IMPACT					
	Unknown	None	Minor	Potentially Significant	Can Impact Be Mitigated	Comment Index
a. Discharge into surface water or any alteration of surface water quality including but not limited to temperature, dissolved oxygen or turbidity?		X				
b. Changes in drainage patterns or the rate and amount of surface runoff?		X				
c. Alteration of the course or magnitude of floodwater or other flows?		X				
d. Changes in the amount of surface water in any water body or creation of a new water body?		X				
e. Exposure of people or property to water related hazards such as flooding?		X				
f. Changes in the quality of groundwater?		X				
g. Changes in the quantity of groundwater?		X				
h. Increase in risk of contamination of surface or groundwater?			X			4
i. Effects on any existing water right or reservation?		X				
j. Effects on other water users as a result of any alteration in surface or groundwater quality?		X				
k. Effects on other users as a result of any alteration in surface or groundwater quantity?		X				
l. For P-R/D-J, will the project affect a designated floodplain? (Also see 3c.)		n/a				
m. For P-R/D-J, will the project result in any discharge that will affect federal or state water quality regulations? (Also see 3a.)		n/a				

4. There is potential for impact on contamination of surface or groundwater related to clean up of uneaten food and bear waste.

4. <u>VEGETATION</u> Will the proposed action result in?	IMPACT					
	Unknown	None	Minor	Potentially Significant	Can Impact Be Mitigated	Comment Index
a. Changes in the diversity, productivity or abundance of plant species (including trees, shrubs, grass, crops, and aquatic plants)?			X			5
b. Alteration of a plant community?			X			5
c. Adverse effects on any unique, rare, threatened, or endangered species?		X				
d. Reduction in acreage or productivity of any agricultural land?		X				
e. Establishment or spread of noxious weeds?	X					
f. For P-R/D-J, will the project affect wetlands, or prime and unique farmland?		n/a				
g. Other:		X				

5. Plants in the bear enclosure and under the parking lot will be eliminated

5. <u>FISH/WILDLIFE</u> Will the proposed action result in:	IMPACT					
	Unknown	None	Minor	Potentially Significant	Can Impact Be Mitigated	Comment Index
a. Deterioration of critical fish or wildlife habitat?		X				
b. Changes in the diversity or abundance of game animals or bird species?		X				
c. Changes in the diversity or abundance of nongame species?		X				
d. Introduction of new species into an area?		X				
e. Creation of a barrier to the migration or movement of animals?		X				
f. Adverse effects on any unique, rare, threatened, or endangered species?		X				
g. Increase in conditions that stress wildlife populations or limit abundance (including harassment, legal or illegal harvest or other human activity)?			X			6
h. For P-R/D-J, will the project be performed in any area in which T&E species are present, and will the project affect any T&E species or their habitat? (Also see 5f.)		n/a				
i. For P-R/D-J, will the project introduce or export any species not presently or historically occurring in the receiving location? (Also see 5d.)		n/a				

6. The presence of captive black bears and any odors associated with feeding and waste could attract other wildlife, including black or grizzly bears. This could result in increased conflicts in the adjacent residential area, increased collisions with wildlife on adjacent Highway 89 South, and/or potential harm to captive bears, wildlife, and humans should other wildlife enter the enclosure. Captive bears will be neutered, the area will be kept clean, and enclosures will be constructed to prevent escape of captive bears or entry of wildlife into the enclosures. See attached Memorandum of Agreement.

B. HUMAN ENVIRONMENT

6. <u>NOISE/ELECTRICAL EFFECTS</u> Will the proposed action result in:	IMPACT					
	Unknown	None	Minor	Potentially Significant	Can Impact Be Mitigated	Comment Index
a. Increases in existing noise levels?		X				
b. Exposure of people to severe or nuisance noise levels?		X				
c. Creation of electrostatic or electromagnetic effects that could be detrimental to human health or property?		X				
d. Interference with radio or television reception and operation?		X				

7. <u>LAND USE</u> Will the proposed action result in:	IMPACT					
	Unknown	None	Minor	Potentially Significant	Can Impact Be Mitigated	Comment Index
a. Alteration of or interference with the productivity or profitability of the existing land use of an area?			X			7
b. Conflicted with a designated natural area or area of unusual scientific or educational importance?		X				
c. Conflict with any existing land use whose presence would constrain or potentially prohibit the proposed action?		X				
d. Adverse effects on or relocation of residences?			X			7

7. The area surrounding this site is primarily residential subdivision, with a nearby RV campground that is generally full during summer months. The roadside menagerie will be an addition to commercial operation already at this location which offers camel rides. The addition of the roadside menagerie may impact the subdivision and could potentially impact home values depending on the personal values of prospective purchasers. The roadside menagerie will likely result in increased traffic in the localized area of the menagerie.

8. <u>RISK/HEALTH HAZARDS</u> Will the proposed action result in:	IMPACT					
	Unknown	None	Minor	Potentially Significant	Can Impact Be Mitigated	Comment Index
a. Risk of an explosion or release of hazardous substances (including, but not limited to oil, pesticides, chemicals, or radiation) in the event of an accident or other forms of disruption?		X				
b. Affect an existing emergency response or emergency evacuation plan, or create a need for a new plan?		X				
c. Creation of any human health hazard or potential hazard?			X			8
d. For P-R/D-J, will any chemical toxicants be used? (Also see 8a)		n/a				

8. Escaped bears could present a hazard to livestock or humans. Requirements made of the applicant regarding the confinement of the bears will mitigate this potential impact. See attached Memorandum of Agreement.

9. <u>COMMUNITY IMPACT</u> Will the proposed action result in:	IMPACT					
	Unknown	None	Minor	Potentially Significant	Can Impact Be Mitigated	Comment Index
a. Alteration of the location, distribution, density, or growth rate of the human population of an area?		X				
b. Alteration of the social structure of a community?		X				
c. Alteration of the level or distribution of employment or community or personal income?		X				
d. Changes in industrial or commercial activity?			X			9
e. Increased traffic hazards or effects on existing transportation facilities or patterns of movement of people and goods?			X			10

9. This is an additional commercial activity at this site. The area is primarily residential, and this is the only commercial property in the subdivision
10. The additional attraction of the roadside menagerie has potential to increase traffic and congestion with the possibility of accidents at the intersection of Highway 89 South and Meridian Road where the menagerie will be located.

10. <u>PUBLIC SERVICES/TAXES/UTILITIES</u> Will the proposed action result in:	IMPACT					
	Unknown	None	Minor	Potentially Significant	Can Impact Be Mitigated	Comment Index
a. Will the proposed action have an effect upon or result in a need for new or altered governmental services in any of the following areas: fire or police protection, schools, parks/recreational facilities, roads or other public maintenance, water supply, sewer or septic systems, solid waste disposal, health, or other governmental services? If any, specify:		X				
b. Will the proposed action have an effect upon the local or state tax base and revenues?			X			11
c. Will the proposed action result in a need for new facilities or substantial alterations of any of the following utilities: electric power, natural gas, other fuel supply or distribution systems, or communications?			X			12
d. Will the proposed action result in increased use of any energy source?		X				
e. Define projected revenue sources*		X				
f. Define projected maintenance costs.*		X				

11. This for-profit business will pay the appropriate taxes

12. This business will need the usual utilities (electricity, water, etc)

11. <u>AESTHETICS/RECREATION</u> Will the proposed action result in:	IMPACT					
	Unknown	None	Minor	Potentially Significant	Can Impact Be Mitigated	Comment Index
a. Alteration of any scenic vista or creation of an aesthetically offensive site or effect that is open to public view?			X			13
b. Alteration of the aesthetic character of a community or neighborhood?			X			13
c. Alteration of the quality or quantity of recreational/tourism opportunities and settings? (Attach Tourism Report.)			X			14
d. <u>For P-R/D-J</u> , will any designated or proposed wild or scenic rivers, trails or wilderness areas be impacted? (Also see 11a, 11c.)		n/a				

13. The enclosure may not be aesthetically pleasing to neighbors and tourists who value the natural environment

14. The facility will provide increased tourist and recreational opportunity.

12. <u>CULTURAL/HISTORICAL RESOURCES</u> Will the proposed action result in:	IMPACT					
	Unknown	None	Minor	Potentially Significant	Can Impact Be Mitigated	Comment Index
a. Destruction or alteration of any site, structure or object of prehistoric historic, or paleontological importance?		X				
b. Physical change that would affect unique cultural values?		X				
c. Effects on existing religious or sacred uses of a site or area?		X				
d. For P-R/D-J, will the project affect historic or cultural resources? Attach SHPO letter of clearance. (Also see 12.a.)		n/a				

SIGNIFICANCE CRITERIA

13. <u>SUMMARY EVALUATION OF SIGNIFICANCE</u> Will the proposed action, considered as a whole:	IMPACT					
	Unknown	None	Minor	Potentially Significant	Can Impact Be Mitigated	Comment Index
a. Have impacts that are individually limited, but cumulatively considerable? (A project or program may result in impacts on two or more separate resources that create a significant effect when considered together or in total.)		X				
b. Involve potential risks or adverse effects, which are uncertain but extremely hazardous if they were to occur?		X				
c. Potentially conflict with the substantive requirements of any local, state, or federal law, regulation, standard or formal plan?		X				
d. Establish a precedent or likelihood that future actions with significant environmental impacts will be proposed?		X				
e. Generate substantial debate or controversy about the nature of the impacts that would be created?			X			15
f. For P-R/D-J, is the project expected to have organized opposition or generate substantial public controversy? (Also see 13e.)		n/a				
g. For P-R/D-J, list any federal or state permits required.		n/a				

15. There is likely to be some public opposition to this proposal, which may be related to opposition to caging and displaying of wild animals, concern about property values and increased commercialization of a residential area, and concern about public safety.

It should be noted that Montana law M.C.A. 87-4-801 through 87-4-807 does authorize people to construct roadside menageries. The authority of MFWP, therefore, is limited to ensuring that these facilities comply with legal requirements in ARM 12.6.1301 through 12.6.1308.

PART III. NARRATIVE EVALUATION AND COMMENT

This proposed Roadside Menagerie will be located near Emigrant Montana and will house 2 black bears which will be available for public viewing. Potential impacts identified include potential escape of the bears and attraction of other wildlife to the facility due to odors from the bears, excrement and feed. Escape of bears from the facility could pose risk to the safety of humans, pets and livestock in the vicinity. Wildlife attracted to the area could cause conflicts with neighboring residents, vehicle collisions on adjacent Highway 89 South, and could create a volatile situation or cause harm to wildlife or captive bears if able to enter the facility. These impacts will be mitigated by a memorandum and agreement with the menagerie owner stipulating requirements for containing the bears in a secure manner to prevent bears from escaping or other wildlife from entering. The MOU will also stipulate that the facility be kept clean and free from odors that could attract other wildlife.

PART IV. PUBLIC PARTICIPATION

1. Public involvement:

The public will be notified in the following manners to comment on this EA, the proposed action and alternatives:

- Two public notices, one in the Livingston Enterprise and one in the Bozeman Chronicle
- Public notice on the Fish, Wildlife & Parks web page: <http://fwp.mt.gov>.

Copies of this environmental assessment will be distributed to the neighboring landowners and interested parties to ensure their knowledge of the proposed project.

This level of public notice and participation is appropriate for a project of this scope having limited impacts, many of which can be mitigated.

2. Duration of comment period:

The public comment period will extend for (30) days following the publication of the legal notice area newspapers. Comments will be accepted until June 30, 2018 by mail or email at the addresses listed below.

Attn: Mayfield Roadside Menagerie
Montana Fish, Wildlife and Parks Enforcement
PO Box 200701
Helena, MT 59620

Comments can also be emailed to milee@mt.gov Hardcopies are available if requested by calling (406) 444-4039.

PART V. EA PREPARATION

1. Based on the significance criteria evaluated in this EA, is an EIS required? (YES/NO)? NO If an EIS is not required, explain why the EA is the appropriate level of analysis for this proposed action.

The proposed action will not have a significant adverse impact on the local environment.

2. Person(s) responsible for preparing the EA:

Karen Loveless-Wildlife Biologist
Drew Scott-Game Warden
Michael Lee-Commercial Permit Program Manager

3. List of agencies or offices consulted during preparation of the EA:

Montana Fish Wildlife & Parks:
Enforcement Division
Wildlife Division
Park County Sheriff's Office
Park County Planning Department

APPENDICES

- A. Memorandum of Agreement with Applicant
- B. Contingency Plan

MEMORANDUM OF AGREEMENT

This agreement is entered into by the Montana Fish, Wildlife & Parks (hereinafter known as "MFWP") and Jason Mayfield (hereinafter known as "Applicant"). The following stipulations are conditions to receiving the Menagerie Permit.

- 1 Applicant shall keep a maximum of two black bears.
- 2 Applicant will obtain written authorization from MFWP before introducing any bear.
- 3 Applicant agrees to construct an outside perimeter fence incorporating the following minimum design specifications:
 - a) ten-foot high chain link fence, with the chain link beginning six inches below ground and topped with electric wire, It shall enclose all the facilities that contain live bears; and,
 - b) this perimeter "property line" fence shall include enough gates to allow any wild bear that breaches the "property line" fence to be safely driven out of the service yard without being handled.
- 4 An electric wire shall be installed near the top of the exterior fence. The fence shall extend a minimum of two feet, six inches below the ground. The concrete footing for the wall shall extend 30" inside the wall to act as a dig-out curtain.
- 5 During the winter, no bears shall be permitted in the outside viewing area unless the snow and ice have been removed in an effort to prevent accumulation along the fence to not allow climbing and ensuring the integrity of the fence.
- 6 A working generator or a recharging battery system shall be installed and maintained, which automatically activates during a power failure. A power failure alarm shall also be installed. The backup electrical system shall be inspected and approved by a licensed electrician.
- 7 All customer parking shall be in the parking lot and not allowed on or near the turn off to Highway 89.
- 8 Applicant shall provide proper, accurate, and biologically correct education and interpretation materials pertaining to bears, their habitats, and their natural roles in the Yellowstone ecosystem. Accurate information will also be provided to educate patrons as to the safest and most responsible manner of viewing and respecting wild bears. These efforts will be coordinated with MFWP and other professional educators and wildlife biologists.
- 9 Applicant shall provide security, appropriate diet, anthelmintic treatments, and competent management and veterinary staff to ensure proper husbandry and medical care of bears, using the American Association of Zoological Parks and Aquariums' accreditation and minimum care standards as guidelines. Applicant shall consult with the Department or veterinary care provider about the best methods for treating or destroying sick or injured bears.
- 10 Applicant shall ensure that odors and other aspects that have the potential to attract wild bears are minimized or eliminated. This includes:
 - a) housing all captive bears in enclosed den buildings during the night;
 - b) conducting the primary feeding of all captive bears in enclosed den buildings;
 - c) ensuring proper sanitation in the den buildings
 - d) keeping outdoor bear enclosure clean of feces, urine concentrations, and aromatic food scraps;
 - e) keeping food and garbage unavailable to wild bears through the use of bear-proof dumpsters;
 - f) spaying/neutering all captive female bears older than two years of age upon arrival, before they are allowed out-of-doors.
- 11 Applicant shall prevent the breeding of captive bears. Captive male bears shall be sterilized upon arrival, before they are introduced into the general captive population. Female bears will also be sterilized, as stated above.
- 12 Applicant shall undertake the best efforts to minimize conflicts with wild bears, with respect to the care of captive bears and the design, operation, and maintenance of the facility in a manner described by MFWP. If, as a result of problems that occur that are not resolved to the satisfaction of MFWP, it is determined that the facility is responsible for attracting wild bears, and as a consequence a wild bear becomes a "nuisance bear" that must be

removed from the wild, the facility agrees to take whatever measures are deemed necessary to rectify those problems, as required by MFWP. The facility acknowledges that the same solution may become necessary if any captive bears escape and become "nuisance bears" as a result of unresolved problems at the facility. The facility further acknowledges that if noncompliance with the conditions in this agreement results in problems that are not resolved to the satisfaction of MFWP, it may be necessary for MFWP to revoke applicant's roadside menagerie permit and to require removal of the bears held within the facility.

- 13 Applicant shall cooperate with and reimburse MFWP reasonable and mutually agreed upon costs directly associated with, the agency's capture or destruction of a bear that escapes or a wild bear that enters the facility. A clear contingency plan will be developed by the facility that outlines the specific coordination actions that will occur between the facility and MFWP if such events occur. A contingency plan for such events that meets the approval of MFWP must be developed prior to the facility's receiving authorization to hold bears.
- 14 Applicant shall abide by all applicable State and Federal laws and requirements pertaining to buying, selling, or transporting black bears.
- 15 Applicant shall permanently and individually mark all captive bears for identification in accordance with Montana State Law [Section 87-6-701 MCA, Title 87].
- 16 Applicant shall assume all financial liabilities and responsibilities for the recapture of, and any damages that may be caused by, any bear that escapes, in accordance with Montana State Law [Section 87-1-233, MCA, Title 87].
- 17 Applicant shall walk the fence each day prior to turning out the bears to check for security, snow accumulation, and possible vandalism.
- 18 Applicant shall immediately report any escape or bear-related injury to any customer or employee.
- 19 The facility agrees to on-site inspections by MFWP on an announced or unannounced basis.
- 20 Applicant shall have a large caliber rifle, pepper spray, and a tranquilizer gun on the premises at all times in case of an emergency. Employees shall carry pepper spray at all times.
- 21 All gates and doors into the facility's interior and exterior cage shall be kept shut at all times and paddle locked.
- 22 Any glass in the viewing windows shall be laminated glass to prevent escape.
- 23 When customers are viewing the bears, at least one employee shall be present in an area where she or he may observe the customers.
- 24 At points where the exterior wall meets the building, electric barriers will be provided to ensure that the bears are unable to maneuver around the wall. Such barriers are subject to MFWP approval.
- 25 Each wire at the top of the chain link perimeter fence shall be individually charged.
- 26 At any time the facility has bears on site, there shall be a caretaker present trained in the handling of bears and in the use of the firearm, pepper spray, a tranquilizer gun, and other emergency procedures.
- 27 Applicant will purchase and maintain liability insurance as required in A.R.M. 12.6.1308.
- 28 Applicant will, additionally, comply with all laws and rules for operating a roadside zoo and menagerie found in M.C.A. 87-4-801 through 87-4-808 and A.R.M. 12.6.1301 through 12.6.1308.
- 29 The denning cages (minimum-2) shall be constructed of steel bars (not less than 3/4 inch diameter that will be securely attached to the floor and ceiling. A secured passageway shall be constructed from the outdoor viewing area to the individual dens.

It is mutually agreed that failure to comply with the terms and conditions of this agreement by any of the parties hereto may result in the termination of this agreement and revocation of authorities issued for the holding of bears at the facility. This agreement may be amended upon written consent of all parties hereto.

Jason Mayfield
Applicant

Mark Deleray
FWP Region 3 Supervisor

Mike Lee
FWP Commercial Permitting

CONTINGENCY PLAN

A plan pursuant to the Memorandum of Agreement concerning holding and displaying black bears at the Jason Mayfield Roadside Menagerie. This Contingency Plan is developed and entered into by the Montana Department of Fish, Wildlife & Parks [Department] and Jason Mayfield (Menagerie) for the purpose of outlining the specific coordinated actions and notifications that will occur between the Menagerie and the Department if any of the following events occur.

INJURED OR SICK BEAR

ACTION:

- Minor Injury/Illness. Menagerie veterinarian provides care; no notification necessary
- Serious Injury/Illness (risk to animal; life-threatening): Menagerie veterinarian provides care: notification necessary
- Need to Destroy Animal: Appropriate agencies and the Menagerie consult; the responsibility of the Menagerie
- Disposal of Carcass: Responsibility of the Menagerie

NOTIFICATION: The Menagerie will immediately notify the Department

INVESTIGATION: The incident will be investigated by the appropriate agencies and all necessary Department reports will be appropriately filed

DEATH OF A BEAR IN THE MENAGERIE

ACTION: The carcass will be safeguarded by the Menagerie; the Menagerie is responsible for disposal of carcass.

NOTIFICATION: The Menagerie will immediately notify the Department

INVESTIGATION: The incident will be investigated by the Department and the Menagerie. The cause will be determined, and measures to prevent similar and future incidents will be identified; all necessary Department reports will be appropriately filed

ESCAPE OF A BEAR FROM THE MENAGERIE

ACTION: Immediately recapture and return the bear to the Menagerie—responsibility of the Department; if capture is impossible within a reasonable period of time, or if necessary to protect human life, the bear may be destroyed by the Department. If this occurs disposal of the carcass is the responsibility of the Department. All remaining bears in the enclosure from which the escape occurred will be held in their den until determination of the source of escape, and appropriate corrective measures are taken to prevent further escape

NOTIFICATION: The Menagerie will immediately notify the Department and Park County Sheriff's Office

INVESTIGATION: The incident will be investigated by the Department and the Menagerie. The cause will be determined, and measures to prevent similar and future incidents will be identified

RESPONSIBILITIES: Though all actions in the event of any incident will be coordinated, the agency is basically responsible for the management of free-roaming bears (wild or escaped captive) is Montana Department of Fish, Wildlife & Parks (bears in the State of Montana, regardless of origin).

ENTRY OF PERSON INTO ENCLOSURE

ACTION: The Menagerie staff will immediately summon emergency assistance and attempt to separate person and bears.

NOTIFICATION: The Menagerie will immediately notify the Department

INVESTIGATION: The incident will be investigated by the Department and the Menagerie. The cause and the means of preventing similar and future incidents will be determined and all necessary Department reports appropriately filed

EMERGENCY EVACUATION OF THE BEARS FROM THE MENAGERIE DUE TO AN UNANTICIPATED EMERGENCY (Fire, Earthquake etc)

ACTION: The Menagerie shall keep on site, at all times, a vehicle or trailer with a confinement container capable of securing up to two black bears (either sedated or not). If the trailer option is utilized, there shall be a vehicle

equipped to tow the trailer on site at all times. In the event of an emergency requiring an evacuation, the bears shall be loaded and removed from the site.

NOTIFICATION: The Menagerie shall immediately notify the Department in the event of an evacuation.

INVESTIGATION: The Department may investigate any forced bear evacuation if circumstances warrant.

NOTIFICATION LIST: In the event of an emergency, the following numbers may be used for notification:

Park County Sheriff.....911

Department of Fish, Wildlife & Parks (8am-5pm, Monday-Friday): 994-4042

Karen Loveless

Kevin Frey

After Hours: 1800 TIP-MONT (847-6668)

Drew Scott

Jason Mayfield, Applicant

Date

Mark Deleray

Date

FWP Region 3 Supervisor

Michael Lee

Date

FWP Commercial Permitting